



Delaware Thoroughbred Racing Commission
Minutes of Meeting & Public Hearing
May 20, 2008

The Delaware Thoroughbred Racing Commission held a regular meeting and public hearing on May 20, 2008, at 10:00 AM, in the second floor conference room of the Horsemen's Office, located on the grounds of Delaware Park, 777 Delaware Park Boulevard, Wilmington, Delaware 19804.

The following commission members were present:

Bernard J. Daney, Chairman
W. Duncan Patterson, Jr., Secretary/Commissioner
Henry James Decker, Commissioner
Debbie Killeen, Commissioner
Edward Stegemeier, Commissioner

The following individuals also were present:

Michael T. Scuse, Delaware Secretary of Agriculture
John F. Wayne, DTRC, Executive Director
Andrew Kerber, Esq., Delaware Dept. of Justice, Deputy Attorney General, Commission Counsel
Barbara Gadbois, Delaware Dept. of Justice, Deputy Attorney General, Stewards' Counsel
Alan Pincus, Esq., witness for Timothy Hooper
Anne L. Adams, Wilcox & Fetzer, Transcriptionist
Bessie Gruwell, DTHA Executive Director
Charles Lockhardt, Dover Downs, Vice President
Dr. John Peters, DTRC Supervising Veterinarian
Francis Swift, DTRC Inspector
Fritz Burkhardt, DTRC Associate Steward
G. Jack Houghton, DTRC Chief Steward
Greg Petkiewicz, Delaware Park, Sr. VP Race Track Operations
Gregory Kramer, Cross & Simon, intern
Ismael "Izzy" Trejo, Delaware Park, Racing Secretary
Jack Ireland, The News Journal, sports reporter
Joe Rudisill, Delaware Park – Sr. VP Compliance
John E. Mooney, Delaware Park, Delaware Park, Executive Director of Racing
John Hensley, Dover Downs, Senior Director – Horse Racing
Joseph Strug, Laboratory Director, Dalare Associates
Larry Saumell, Regional Manager, Jockeys Guild
Michael Vild, Esq., Delaware Park, General Counsel
Paul N. Trapani, Owner
Ramon Dominguez, Jockey
Ramon Rodriguez, TRPB Agent
Richard H. Cross, Jr., Esq., Cross & Simon, attorney for Timothy Hooper
Robert E. Colton, Jockey, Delaware Jockeys Association (DJA), President
Scott Peck, DTHA, President
Shelley Perkins, DTRC Paralegal
Tracy Nunley, Trainer
William Hollick, Jockey, DJH&WBB Board Member

1. **WELCOME & CALL TO ORDER**

Chairman Daney called the meeting to order at 10:00 AM and welcomed those in attendance.

2. **APPROVAL OF MINUTES – April 30, 2008**

Upon a motion duly made (Patterson) and seconded (Decker) minutes from April 30, 2008 were approved with the following correction - strike paragraphs 2 and 3 from item 7A – **REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION.**

3. **OLD BUSINESS**

None

4. **NEW BUSINESS**

A. Padded Whip/Crop

Introduction by Executive Director, Mr. John F. Wayne, and presentation by Mr. Robert E. Colton, President of the Delaware Jockeys Association (DJA) and an active Jockey at Delaware Park.

1. Discussion points included:

- a. biggest difference is the 'popper'
- b. \$60.00-\$70.00 – somewhat difference in price
- c. popper similar as Pro-Cush brand, but does not run the length of the whip
- d. better quality material – still going to wear out – and won't wear as well – but is considered more humane
- e. whip balance is improved
- f. Secretary/Commissioner Patterson added that Ned Bonnie KHRA Commissioner would endorse this new whip
- g. Mr. Colton had spoken with Jim Gallagher, then the Executive Director of the Kentucky Horse Racing Authority.

2. Prepare formal proposal for DTRC rule:

- a. specifications and language need to be formally written and proposed to the DTRC – including weight, length, perfecting the "popper", define what constitutes a padded whip.
- b. create a deadline for manufacturers to comply
- c. create a deadline for jockeys to comply
- d. discussion of the commission buying the first whip and providing it for free

3. Conclusion:

Chairman Daney asked that Mr. Robert Colton and Mr. Ramon Dominguez work together with the Stewards, Mr. Wayne, and the Jockeys Guild to make a formal proposal.

5. **REPORT FROM EXECUTIVE DIRECTOR**

A. Summary of Activities Report

A summary report of the Commission's April licensing, operating, and investigative activities was submitted to the Commission and Secretary of Agriculture.

B. Inspection of HUB (Mount Laurel, NJ)

On May 14, 2008, the DTRC Executive Director made a surprise inspection of the Scientific Games Quantum Data Center (QDC) at Mount Laurel, New Jersey. The inspection was predicated upon service interruption concerns specifically related to an incident on April 12, 2008 prior to live racing at Delaware Park in which the tote system malfunctioned. On that date, wagering was partially interrupted for approximately 4 hours due to one of the QDC servers not functioning properly. Their back up slave drive did not recognize the problem since the server continued to sporadically run its program. According to Mr. Deaven, the

Sci-Games on-site manager, the servers now have redundancy to avoid future service interruptions. Entry and exits sign up sheets were inspected to ensure best management practices were being employed. Following the formal inspection, the DTRC Executive Director met with two auditors of the New Jersey Racing Commission officed at the QDC.

6. REPORT FROM SUPERVISING COMMISSION VETERINARIAN

A. Illness/Injury Report

Report will be distributed at the June 2008 commission meeting.
One death to report to date.

Reminder to horsemen to keep vaccinations up to date.

7. REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION

A. Delaware Certified Report

Report will be distributed at the June 2008 commission meeting

B. Increase

Move to 20%, effective June 1, 2008.

8. PUBLIC COMMENT

A. Identification for Jockeys

Mr. Colton brought examples of identification and Medical card for use by jockeys while on the track.

Upon a motion duly made (Decker) and seconded (Stegemeier) the commission asked Mr. Colton and Delaware Park's Executive Director of Racing, Mr. John Mooney, to move forward with mandatory implementation.

Commission Stegemeier complimented Mr. Colton, recognizing him for "stepping up to the plate" and noted the DJH&WBB was grateful for his commitment.

B. Mr. Joseph Rudisill, Senior Vice President of Compliance re- introduced Mr. John Mooney as the Executive Director of Racing for Delaware Park.

C. Chairman Daney and Commissioner Decker requested of the DTRC Executive Director to Prepare a statistical report of racing data prior to the Secretary of Agriculture's June 11, 2008 meeting.

D. Joseph Strug gave a verbal report on his attendance at the RMTc Anabolic and Androgenic Steroid work shop at the University of California at Davis.

9. PUBLIC HEARING

A. APPEAL HEARING – TIMOTHY HOOPER (ADT5-104)

Verbatim testimony recorded by Anne L. Adams, Wilcox & Fetzer, Transcriptionist.

DECISION

The Commission by a vote of 4-1 decided to affirm the \$2,500.00 fine assessed by the Stewards and to reduce the 6-month suspension to a 90-day suspension.

10. ADJOURN

At 1:43 AM, upon a motion duly made and seconded, the meeting was adjourned.